

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
KATHLEEN P. MULLINIX,	)	
	)	
Plaintiff,	)	
	)	Civil Action
v.	)	No. 04-12684-WGY
	)	
KIKI BOGORAD-GROSS and	)	
LEONARD P. BOGORAD, as They	)	
Are Executors of the Will of	)	
Lawrence Bogorad,	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S  
CROSS MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56 and LR 56.1, Defendants Kiki Bogorad-Gross (“K. Bogorad-Gross”) and Leonard Bogorad (“L. Bogorad”), as Executors of the Will of Lawrence Bogorad (collectively, “Defendants”), by their attorneys, Sullivan & Worcester LLP, hereby oppose the cross motion for summary judgment of the Plaintiff, Kathleen P. Mullinix (“Mullinix” or “Plaintiff”). Plaintiff’s motion must be denied. Plaintiff’s motion merely asserts conclusory and unreliable statements of fact in support of her weak recitations of blackletter law. The fact remains that Plaintiff’s only evidence of the alleged contracts is her own testimony, the credibility of which should be determined by a trier of fact. Accordingly, this Court should deny Plaintiff’s cross motion for summary judgment and grant Defendants’ Motion for Summary Judgment.

Respectfully submitted,

KIKI BOGORAD-GROSS and  
LEONARD P. BOGORAD, as  
they are the Executors of the Will  
of Lawrence Bogorad,  
By their attorneys,

June 30, 2006

/s/ Lisa M. Hodes  
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I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 30, 2006.

/s/ Lisa M. Hodes